

REMARKS

The Office Action dated May 4, 2006, has been received and carefully considered. In this response, claims 17-20 have been added. Entry of added claims 17-20 is respectfully requested. Reconsideration of the outstanding objections/rejections in the present application is also respectfully requested based on the following remarks.

I. THE OBVIOUSNESS REJECTION OF CLAIMS 1-16 UNDER 35 USC 103(a)

On page 4 of the Office Action, claims 1-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Calyx Software, “Point for Windows Version 3.x Interface Marketing Guide”, December 8, 1999, pages 1-5, (hereinafter, “Calyx 1”) and Calyx Software, “Point for Windows Version 3.x Interface Development Guide”, November 29, 1999, pages 1-21, (hereinafter, “Calyx 2”). This rejection is hereby respectfully traversed.

As stated in MPEP § 2143, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant’s disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applicant respectfully submits that Page 4 of Calyx 1 does not teach or disclose a system which “generates and sends the loan document to the customer” as recited in Claim 1. Claims 6 and 7 recite similarly. In fact, the Calyx 1 and Calyx 2 references as cited by the Examiner do not even teach or suggest “merg[ing] the loan information with a loan application form to

produce a loan application” which is a prerequisite to generating and sending a loan document, as recited in independent claims 1, 6 and 7. Instead, the Calyx references are directed towards the provision of interfaces for **sending or receiving existing mortgage information between systems and not towards “merg[ing] the loan information with a loan application form to produce a loan application” or “a document server [which] generates and sends the loan document to the customer.”** In essence, the Calyx references are directed to a different issue -- how to allow disparate systems to share existing mortgage information by providing an interface -- than the issue resolved by the present invention, which is providing systems and methods for on-line loan origination including “merging the loan information with a loan application form to produce a loan application” and “send[ing] the loan document to the customer, based on the loan application, when the loan processor determines that the customer should receive the loan.”

Not surprisingly then, the portions of Calyx 1 and Calyx 2 cited by the Examiner also do not teach or suggest a “receiving loan information from the customer over a network by a website” as required by independent Claim 6. Claim 1 recites similarly. Calyx 1 and 2 are devoid of such teaching or suggestion because they are directed to producing interfaces for sending and receiving existing mortgage information and not towards producing mortgage documents by “receiving loan information from the customer over a network by a website”.

Moreover, the Calyx 1 and Calyx 2 references also do not disclose or suggest “receiving loan information from the customer” as recited by Claim 7. Nor do the Calyx 1 and Calyx 2 references cited by the Examiner disclose or suggest “**processing the loan information** to determine whether the bank wants to enter into the loan contract” as recited by Claim 7. Claims 1 and 6 recite similarly.

The Calyx 1 and Calyx 2 references, whether considered separately or combined, do not teach or suggest this limitation.

Claims 2-5, 14 and claims 17-20 depend from independent Claim 1. Claims 8 - 13 and Claim 15 depend from independent Claim 7. Claim 16 depends from independent claim 6. Thus, since independent Claims 1, 6 and 7 should be allowable as discussed above, the dependent claims should also be allowable at least by virtue of their dependency on independent Claims 1, 6 and 7.

Moreover, these dependent claims recite additional features which are not claimed, disclosed, or even suggested by the cited references taken either alone or in combination. For example, dependent Claim 4 recites “ the loan document includes at least one of a check and data relating to an electronic transfer of funds relating to the loan.” The Calyx 1 and Calyx 2 references, whether considered separately or combined, do not teach or suggest this limitation.

New claims 17, 18, 19 and 20 should be separately patentable as well as allowable by virtue of their dependency on claim 1 as discussed above. Claims 17-19 have support in the specification at least at page 5, lines 2-3. Claim 20 has support in the specification at least at page 9, lines 5-10. The Calyx 1 and Calyx 2 references cited by the Examiner fail to disclose or suggest the production of a loan document including a loan approval letter as recited by claim 17, a loan promissory note as recited by claim 18 or a loan contract as recited by claim 19. The Calyx 1 and Calyx 2 references cited by the Examiner fail to disclose or suggest “verifying a customer account by sending a test transaction and sending funds to a customer account after the customer account is verified” as recited by claim 20. Thus the Calyx 1 and Calyx 2 references cited by the Examiner fail to teach or suggest all the claim limitations.

For at least the above reasons, it is respectfully requested that the aforementioned obviousness rejection of claims 1-16 be withdrawn.


II. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0206, and please credit any excess fees to the same deposit account.

Respectfully submitted,

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Date: September 5, 2006